

SENATE CHAMBER,

AUSTIN, June 7, 1870.

Senate met pursuant to adjournment. President Don Campbell presiding. Roll called. Quorum present. Prayer by the chaplain. Journal of yesterday read and approved.

Senator Pickett moved the unfinished business of yesterday be taken up and disposed of. Carried.

The question recurred upon the adoption of the substitute offered by Senator Bell for Senate Bill No. 155, "An Act to provide for districting the State of Texas into judicial districts."

Pending discussion, the hour arrived for the consideration of House Bill No. 88, "An Act to provide for the protection of the frontier."

Senator Fountain moved the postponement of the same until 12 M., and that it be continued as the special order from day to day until disposed of. Carried.

Message from the House by Chief Clerk :

House Bill No. 178, "An Act authorizing quarantine on the coast of Texas."

Also House Bill No. 80, "An Act to establish a State police, and provide for the regulation and government of the same."

Yeas and nays taken on adoption of substitute for Senate Bill No. 155. Result as follows :

Yeas—Baker, Bell, Broughton, Douglas, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—16.

Nays—Alford, Bowers, Clark, Cole, Dohoney, Evans, Flanagan, Pickett, Pridgen, Pyle, Shannon—11.

Adopted.

Senator Douglas moved to amend by striking out the words "thirty-four" and inserting "thirty."

Yeas and nays called for ; result as follows :

Yeas—Alford, Broughton, Douglas, Evans, Shannon—5.

Nays—Baker, Bell, Bowers, Clark, Cole, Dohoney, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor—22.

Amendment lost.

Senator Alford moved to amend section eight by adding "Fannin" after the word "Bowie;" amend section eleven by striking out the word "Fannin" and adding "Rains." Lost.

Senator Bowers moved to amend, in section twenty-two, by

striking out "and Caldwell," and adding to section twenty-seven, "Caldwell." Lost.

Senator Broughton moved to amend section twelve by striking out the county of Clay as one of the counties composing the Twelfth District, and inserting it among the unorganized counties attached to said district for judicial purposes. Adopted.

Senator Shannon moved to amend by striking out the Fourteenth District, and adding to the Thirteenth the counties of Ellis, Dallas and Tarrant. Lost.

Senator Priest moved the engrossment of the bill.

Yeas and nays taken. Result as follows:

Yeas—Baker, Bell, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Rawson, Ruby, Saylor---17.

Nays—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pyle, Shannon---11.

Carried, and bill ordered to be engrossed.

Senator Ruby moved suspension of rules to place the bill on its third reading.

Rules suspended. Bill read third time.

Yeas and nays taken on final passage. Result as follows:

Yeas—Baker, Bell, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Rawson, Ruby, Saylor---17.

Nays—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pyle, Shannon---11.

Bill passed.

PETITIONS AND MEMORIALS.

By Senator Bowers, a petition of J. C. Brown and N. H. Gazley, for relief.

Read and referred to Committee on Judiciary.

By Senator Mills, a petition of Camillus Jones for an appropriation for yellow fever expenses.

Read and referred to Committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Report of Committee on Finance:

COMMITTEE ROOM,
Austin, June 6, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Finance Committee, to whom was referred Senate bill No. 149, with the accompanying petition of Geo. W. Dunham for relief, beg leave to report that they can see no good reason to release

the securities of a defaulting assessor and collector who avails himself of the advantage of pestilence to secure his escape with a large amount of public money. The very object of security is to make good losses of this character, and your committee report back the bill with a recommendation it do not pass.

J. S. MILLS,
Chairman.

Laid over under the rules.

Report of Committee on Finance:

COMMITTEE ROOM,
Austin, June 6, 1870.

HON. DON CAMPBELL,
President of Senate:

SIR: Your Committee on Finance, to whom was submitted Senate bill No. 165, "An Act making an appropriation for certain purposes therein mentioned," would respectfully report that, upon examination of the facts they find that the various officers of the provisional government, under A. J. Hamilton as provisional Governor of Texas, were entitled to receive their pay in the specie currency, or its equivalent in the paper currency of the United States; that most of the officers, especially those residing near the capital, were paid accordingly; that some of the officers residing remote from the capital have not been paid, and that the appropriation therefor has been exhausted. Your committee, therefore, recommend the passage of the accompanying substitute for bill.

MILLS,
Chairman.

Laid over under the rules.

Report of Committee on Indian Affairs:

COMMITTEE ROOM,
Austin, June 7, 1870.

HON. DON CAMPBELL,
President of Senate:

SIR: Your Committee on Indian Affairs and Frontier Protection, to whom was recommitted House bill No. 88, entitled "An Act to provide for the protection of the frontier," have had the same under consideration, and report the same facts to the Senate without amendment and respectfully recommend its passage.

FOUNTAIN,
Chairman.

Report received.

Report of Committee on Engrossed Bills:

HON. DON CAMPBELL,
President of Senate:

Your Committee on Engrossed Bills having carefully examined and compared Senate bill No. 55, "An Act to organize and define the powers of the Criminal District Court in and for the counties of Galveston and Harris, and to prescribe the duties thereof;" also Senate bill No. 72, "An Act granting the right to John W. King to establish and operate a ferry at King's crossing on Sabine river;" also Senate bill No. 74, "An Act making an appropriation to defray the printing and contingent expenses of the twelfth Legislature;" and Senate bill No. 101, "An Act for the relief of J. H. Hallinguist;" find the same correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL

BILLS AND RESOLUTIONS.

By Senator Broughton, a bill to be entitled "An Act for the relief of Cain T. Brush.

Read first time and referred to Committee on Judiciary.

By Senator Pettit, a bill entitled "An Act for the relief of district attorneys *pro tem*.

Read first time and referred to Committee on Judiciary.

By Senator Broughton, a bill to be entitled "An Act to provide for surveys and return of field notes in certain cases."

Read first time and referred to Committee on Public Lands.

By Senator Flanagan, "An Act to incorporate the Merchant's and Planter's Savings Bank of Texas."

Read first time and referred to Committee on Judiciary.

By Senator Bell, a bill to be entitled "An Act to incorporate the Callahan Cotton Seed Oil Manufacturing Company of Hempstead, Texas.

Read first time and referred to Committee on Internal Improvements.

Senator Flanagan moved a suspension of the rules to take up House Bill No. 178, "An Act authorizing quarantine on the coast of Texas."

Rules suspended and bill read first time.

Senator Bowers moved to suspend the rules to amend rule thirty-two.

Rules suspended and Senate rule thirty-two so amended as to read "may be referred to committee," instead of "shall be."

On motion of Senator Flanagan, the rules were suspended and House Bill No. 178 put on its second reading.

Senator Alford moved to amend by adding: "Provided, that nothing herein contained shall prevent any town or city in the State from establishing any quarantine which they may think necessary for the preservation of the health of said town or city, not inapplicable to the provisions of this act."

Amendment adopted.

Senator Ruby moved amendment of caption by adding, "and elsewhere within the State." Adopted.

Senator Flanagan moved a further suspension to place the bill on its third reading. Carried.

Read third time and passed.

Senator Parsons moved that the Secretary return forthwith House Bill No. 178, and ask the immediate concurrence of the House in the Senate amendments. Carried.

Under direction of the President the Secretary carried to the House House Bill No. 178, with the action of the Senate thereon.

Senator Priest offered the following resolution, and asked the suspension of the rules to take it up:

Resolved, That it shall be a rule of the Senate that a motion to postpone, reject or lay an amendment to any bill or resolution on the table, shall not affect the bill or resolution, but shall apply to the amendment only.

The hour having arrived for the consideration of the special order, House Bill No. 88, "An Act to provide for the protection of the frontier"; third reading.

Senator Douglas offered the following amendment:

Amend 8th line, section 1, by striking out the words "fifty-two" and inserting the word "forty," and line 9 by striking out the word "fifty" and inserting the words "thirty-five."

Amendment lost.

Senator Pettit offered the following amendment for second section:

That the requisite number of officers and men for said companies shall be citizens of the State of Texas.

Senator Flanagan moved the adoption of the amendment.

Amendment lost.

Senator Dohoney offered the following amendment:

Amend by striking out the word "twenty" in line three of section one, and insert the word "ten." Amendment lost.

Senator Ruby moved suspension of rules.

Rules suspended, and bill read third time.

Yeas and nays taken on final passage; result as follows:

Yeas—Mr. President, Baker, Bell, Bowers, Broughton, Clark,

Cole, Dohoney, Evans, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—24.

Nays—Messrs. Alford, Douglas, Priest—3.

Absent—Messrs. Latimer and Mills.

Bill passed.

Under the direction of the President, the Secretary carried to the House of Representatives Senate Bill No. 3, "A Bill to authorize Harwood Belding and Mason to construct a bridge across the Guadalupe river at or near the town of Gonzales, Gonzales county, Texas."

Also, Senate Bill No. 5, entitled "A Bill to authorize Vaughan, Safford and Smith to construct a bridge across the Guadalupe river at or near the town of Seguin, Guadalupe county, Texas."

Also, Senate Bill No. 14, a bill entitled "An Act to incorporate the Jefferson, Marshall and Big Cypress Bayou Bridge Company."

Also, Senate Bill No. 69, a bill entitled "An Act to incorporate the Kaufman County Bridge Company."

Also, Senate bill No. 161, a bill entitled "An Act to create the county of Rains, and to provide for the organization of the same."

And ask their concurrence in the same.

On motion of Senator Saylor the Senate adjourned.